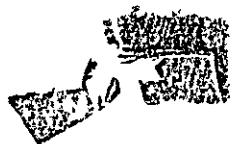


Chadwick Street



9-11 CHADWICK STREET

Signature of owner

INSPECTION COPY



Full cut # 920R - Half cut # 9202R - Third cut # 9203R - Fifth cut # 9205R



(R2) RESIDENCE ZONE - B
APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, September 6, 1947

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect ~~also known as~~ the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 331 Chadwick Street

Owner's name and address Homestead Savings & Loan, 4 Elm Street Within Fire Limits? yes Dist. No. 3

Lessee's name and address _____ Telephone _____

Contractor's name and address Benjamin Hamilton, 201 Stanford St., So. Port. Telephone 3-5866

Architect _____ Specifications _____ Plans yes No. of sheets 1

Proposed use of building 1 car garage No. families _____

Last use _____ No. families _____

Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____

Other buildings on same lot _____ dwelling _____

Estimated cost \$ 600. Fee \$ 1.00

General Description of New Work

To construct 1 car frame garage 12'x20'

NOTIFICATION BEFORE LATHING
OR CLOSING-IN IS WAIVED

CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor.

Details of New Work

Is any plumbing work involved in this work? _____ Is any electrical work involved in this work? _____
Height average grade to top of plate 8' Height average grade to highest point of roof 14'
Size, front 12' depth 20' No. stories 1 solid or filled land? solid earth or rock? earth
Material of foundation concrete trench Thickness, top 12" bottom 12" cellar no
Material of underpinning wall Height _____ Thickness _____
Kind of roof pitch-gable Rise per foot 9" Roof covering asphalt roofing Class C Und. Lab.
No. of chimney _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
Framing lumber—Kind hemlock Dressed or full size? dressed
Corner posts 4x6 Sills 4x6 Girt or ledger board? _____ Size _____
Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor concrete 2nd _____ 3rd _____ roof 2x6
On centers: 1st floor _____ 2nd _____ 3rd _____ roof 2x6
Maximum span: 1st floor _____ 2nd _____ 3rd _____ roof 6'
If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

No. cars now accommodated on same lot _____, to be accommodated 1 number commercial cars to be accommodated no
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? no

APPROVED:

By A.J.S.

Miscellaneous

Will work require disturbing of any tree on a public street? no
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto observed? yes

Homestead Loan & Savings

Signature of owner Benjamin Hamilton

INSPECTION COPY

Permit No 47/2322

Location 21 Chadwick St.

Owner Honested Perengy & Son

Date of permit 9/12/47

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn 12/16/47

Cert. of Occupancy issued none

NOTES

9/12/47 - Location C. 15.
E 28

Signed

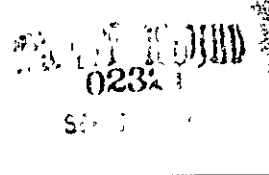


(RB) RESIDENCE ZONE - B

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, September 6, 1947



To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect ~~or alter~~ the following building ~~existing~~ in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location Chadwick Street Within Fire Limits? yes Dist. No. 3
Owner's name and address Homestead Savings & Loan, 4 Elm Street Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Benjamin D. Hamilton, 201 Stanford St., So Portland Telephone 3-6866
Architect Earle Fenderson Specifications _____ Plans yes No. of sheets 3
Proposed use of building new Dwelling house No. families 1
Last use _____ " " No. families 1
Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 2,000 8400. Fee \$ 4.50

General Description of New Work

To construct one and half ^{story} frame dwelling 23' 4" x 34' rick veneer front

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor.

Details of New Work

Is any plumbing work involved in this work? yes Is any electrical work involved in this work? yes
Height average grade to top of plate 10' Height average grade to highest point of roof 25'
Size, front 34' depth 23' 4" No. stories 1 1/2 Solid or filled land? solid earth or rock? earth
Material of foundation concrete at least 4' below grade 13" Thickness, top 10" bottom 12" cellar yes
Material of underpinning " to sill Height _____ Thickness _____
Kind of roof pitch-gable Rise per foot 9" Roof covering asphalt roofing Class C Und. Lab.
No. of chimneys 1 Material of chimneys brick of lining tile Kind of heat hot air fuel coal
Framing lumber—Kind hemlock Dressed or full size? dressed
Corner posts 4x6 Sills 4x6 Girt or ledger board? _____ Size _____
Girders yes Size 6x10 Columns under girders iron pipe Size 3 1/2" Max. on centers 7'
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor 2x8, 2nd 2x8, 3rd _____, roof 2x6
On centers: 1st floor 16", 2nd 16", 3rd _____, roof 24"
Maximum span: 1st floor 12', 2nd 12', 3rd _____, roof 12'
If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

No. cars now accommodated on same lot _____, to be accommodated _____ number commercial cars to be accommodated _____
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? _____

Miscellaneous

Will work require disturbing of any tree on a public street? no
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

Homestead Savings & Loan

APPROVED:

E. G. S.

Signature of owner

By: Benjamin D. Hamilton

INSPECTION CO.

2321 13

Owner 24 Chadwick St
Honest & Savings Co.
Date of permit 9/12/47
Notif. closing-in
Inspn. closing-in
Final Notif
Final Inspn 12/16/47
Cert. of Occupancy issued none

NOTES

9/10/47 - Location O.K.
E.S.S.
9/27/47 - No work
E.S.S.
10/3/47 - Same E.S.S.
10/15/47 - No work
E.S.S.
10/30/47 - Same E.S.S.
11/24/47 - Same E.S.S.

Approved

STATEMENT ACCOMPANYING APPLICATION FOR BUILDING PERMIT

for Dwelling and separate garage Date 9/6/17
at 21 Chatwick Street

in whose name is the title of the property now recorded? Homestead Loan & Savings

2. Are the boundaries of the property in the vicinity of the proposed work shown clearly on the ground, and how? stakes
3. Is the outline of the proposed work now staked out upon the ground? no If not, will you notify the Inspection Office when the work is staked out and before any of the work is commenced? yes
4. What is to be maximum projection or overhang of eaves or drip? _____
5. Do you assume full responsibility for the correctness of the location, plan or statement of location filed with this application, and does it show the complete outline of the proposed work on the ground, including bay windows, porches and other projections? yes
6. Do you assume full responsibility for the correctness of all statements in the application concerning the sizes, design and use of the proposed building? yes
7. Do you understand that in case changes are proposed in the location of the work or in any of the details specified in the application that a revised plan and application must be submitted to this office before the changes are made? yes

Benny D. Hamilton



Hearing set for 1/12/43

City of Portland, Maine

Given leave to withdraw
1/15/43
given leave to withdraw
43/87

Chairman Libby yes

Mr. Berry

Dr. Leighton

Mr. Harrison yes

Mr. Harry Libby yes

Appeal to the Municipal Officers to Change the De

Inspector of Buildings Relating to the Property

Homestead Savings & Loan Association at 9-11 Chadwick Street

19

To the Municipal Officers:

Your appellant, Homestead Savings & Loan Association

who is the Owner of property at 9-11 Chadwick Street

respectfully petitions the Municipal Officers of the City of Portland to change the decision of the Inspector of Buildings relating to this property, as provided by Section 13, Paragraph c, of the Zoning Ordinance, on the ground that the enforcement of the ordinance in this case involves unnecessary hardship and because relief may be granted without substantially derogating from the intent and purpose of the Zoning Ordinance.

The decision of the Inspector of Buildings denies a building permit to cover construction of a two family dwelling house on the above lot because that use is not allowable one in the Single Residence-B Zone where the property is located.

The reasons for the appeal are as follows:

Homestead Savings & Loan Association
by Wm. H. Lamb Secretary 43/87

Homestead Savings and Loan Association
Property, 9-11 Chadwick Street, Portland

Reasons For Appeal:

1. The appellant association has an investment of \$4,400.00 in the above mentioned lot with no means of income from same. Taxes on the premises are approximately \$120.00 per year.

2. No sale of the lot can be made without great loss to the Association, and, on account of building restrictions and the amount of investment, a single house would be impractical. Furthermore, on account of the ability of the surrounding owners to convert to two-family houses, a purchaser would have no assurance that a single residence zone would be maintained.

3. Under present conditions it is impossible to obtain priorities for building a single house in keeping with the surroundings, but priority regulations do allow a two-family house which from a business and economic standpoint would be profitable to build and operate.

Rept. 38405-I
3-11 Chadwick St.

November 23, 1943

Homestead Savings & Loan Assoc.
4 Elm Street,
Portland, Maine

Subject: Action on the appeal under the
Zoning Ordinance of Homestead Savings
& Loan Assoc. at 3-11 Chadwick Street

Gentlemen:

On November 18, 1943, the Board of Appeals voted to give the
appellant association in the above case, leave to withdraw.

Since the building permit has been denied, if you will return
the receipt for the fee paid to this office not later than December 10,
1943, the money will be refunded by voucher.

The fee for the zoning appeal is not refundable.

Very truly yours,

WJH/H

Inspector of Buildings

CC: Irving W. Maxwell
1- Exchange Street

42/87

Portland, November 8, 1943.

The Board of Appeals,
Room 21, City Hall,
Portland, Maine.

RECEIVED

NOV 10 1943

DEPT. OF LIC. & INSP.
CITY OF PORTLAND

Gentlemen:

I am writing about the proposal to erect a two-family house at 9-II Chadwick Street, in regard to which I have received a notice from your board.

I am opposed to the erection of apartment houses in this zone. The restrictions have recently been relaxed to permit the conversion of one-family dwellings; now the attempt is being made to break down these restrictions still further. The reasons alleged boil down to the desire of a property owner to get a larger profit on his investment. How about the very large number of people who own residences the value and attractiveness of which will be injured by such action? If the zoning ordinances are to mean anything, they should, it seems to me, be upheld. Every exception that is made will be used as a precedent for further encroachment.

Yours very truly,



William W. Lawrence.

43/87

PUBLIC HEARING UPON APPEAL UNDER THE ZONING ORDINANCE OF HOMESTEAD SAVINGS AND
LOAN ASSOCIATION AT 9-11 CHADWICK STREET

November 12, 1943

A public hearing on the above appeal was held before the Board of Appeals today. The following members of the Appeal Board were present: Chairman Herman B. Libby, George Harrison, Harry C. Libby and alternate member James E. Barlow who sat in the place of Adam P. Leighton who was out of the city. Also present for the city were Corporation Counsel W. Mayo Lyson and Inspector of Buildings Warren McDonald.

Irving Maxwell, attorney for the appellant association and Norton Lamb, secretary of the association were present in support of the appeal. Mr. Maxwell said that the association had acquired the lot in question by foreclosure of mortgage two or three years ago, the original mortgage having been placed upon the property in 1933, in the sum of about \$5,000, accumulations of outlay by the association since, including taxes, public liability insurance and the like had increased the total investment to \$4,400. He cited several duplex--two family dwellings in the neighborhood and said that under the present terms of the law since 1938 that provisions for two families could be made in any single family dwelling for four families in case of an existing duplex dwelling with one family each side of a central dividing wall,--for families in all in such a duplex dwelling. He argued that the real intent of the law is to limit the occupancy of a single dwelling to two families; and that if existing houses in the neighborhood could be converted for two or even four apartments, then a new house of only two families could not be objectionable. He admitted that it might be thought that sustaining this appeal would establish precedence and lead to many appeals of the same nature for new buildings; but he felt that the area was pretty well filled up and that there is little danger of precedence being set that would be harmful to the area generally.

Judge Carroll Chaplin asked what the size of the lot is and Mr. Maxwell replied 50 foot frontage by 134 feet deep.

Franklin Lawrence said in opposition that sustaining such an appeal would be a very definite precedent which he felt would destroy the very foundation of the Zoning Law as applied to this area. He said that the amendment to the Zoning Law relating to conversion of existing dwellings to two or four families, the latter in case of a duplex dwelling, was adopted to give relief in case of the large houses in this area which were and might be threatened with deterioration or demolition. He said that the investment of the appellant association even if it were \$4,400 is exceedingly low in comparison with the large value of even a single one of the residences in this vicinity.

William Multy asked what the cost of the proposed house would be. and Mr. Maxwell said they hoped to hold to not much more than \$10,000.

Mrs. Flagg questioned whether such a two-family house could possibly be built for \$10,000 and asked what the priorities or other limitations are on such private construction. Mr. Maxwell said that he believed the limit of expenditure for a two-family dwelling as set by the War Production Board is \$12,000.

Philip J. Clifford said that he felt that a two-family house could be built without any damage to the neighborhood if the plans and construction were properly supervised. He raised the question of the type of occupant as to whether or not the occupants of such a dwelling would not have to be workers in defense plants.

November 12, 1942

Judge Chaplin said that the amount of \$3,000 up to \$4,400 which the association had involved should not be preferred over the investment of probably more than one-half million dollars in the houses in near vicinity of this lot. He expressed his opinion that the adoption of the Zoning Ordinance gave assurance both to those who owned existing houses at that time and those who later built in that area that their property would receive the protection of the Zoning Law. He argued that probably the existing property in the vicinity of this lot in question pays 40 to \$50,000 per year in taxes to the city, and that property was entitled to protection.

William V. Lawrence said that probably there was no need to object to the character of the house which would be built as the Loan Association are responsible people and would probably take care of the character of the building. He emphasized that sustaining the appeal would be a precedent and would likely be the first step in breaking down the character of the neighborhood by more or less plausible arguments as the breaking down process continued.

Joseph P. Flagg said that he had no objection to two-family dwelling houses on general principles; but he does object to the size of the house and the smallness of the frontage of the lot. Examination of the registry records, he said, revealed that the original mortgage in 1933 was \$2,900 while the assessed value was at that time for \$2,400. He objected counting taxes and miscellaneous other expenses as a part investment in the property, saying that it seemed to him that they should be charged out definitely to loss. He wondered why the association had waited about seven years before foreclosing and again why they had advertised the foreclosure proceedings in the Bridgton News, a paper which he said was not commonly read in Portland.

Edward Cram said that his residence is on a lot abutting the lot in question and he believes that construction of a two-family dwelling would materially damage his home.

Kenneth Burr asked the Inspector of Buildings to explain what he knew about the limitations placed on the government as to the kind of construction and materials which could be used in such a building. Inspector McDonald said that he was not too well informed about all of the limitations, but that it should be evident to everyone that there were definite limitations because difficulty of constructing a two-family in these times for such a sum as \$10,000. He said also that it was the general understanding that the War Production Board put definite limitations on the kind of lighting fixtures, plumbing fixtures etc. which can be installed, features which grow toward making up the character of a building very definitely.

Mr. Nulty asked for those who were opposed to the appeal to stand. They did so and Chairman Libby announced that 15 were standing.

At this junction Mr. Lamb rose and said that the Loan Association does have a definite interest in that neighborhood; but that he thought that it should be borne in mind that the association or anyone else who owned the property could build a small type of single family house such as allowed by the War Production Board, if the neighborhood does not want a two-family house there. He said that the association does not want to build in a place of opposition upon the neighborhood.

Chairman Libby asked Mr. Lamb that he understood him to mean the association wanted to withdraw the appeal. Mr. Lamb said that that was what he meant.

The hearing adjourned.

Warren McDonald

43/87

aps.
IFmt.
Odi.
Dm

November 15, 1943

, in the appeal under the Zoning Ordinance of Homestead Savings
and Loan Association, seeking the right to construct a two family dwelling
house at 3-11 Chadwick Street in a Single Residence-B Zone, that the
appellant association be given leave to withdraw.

43/87

odd
Thurs
Dm
32

Room 21, City Hall
November 3, 1943

Homestead Savings and Loan Assoc.
4 Elm Street,
Portland, Maine

Gentlemen:

The Board of Appeals will hold a public hearing at the Council Chamber, City Hall on Friday, November 12, 1943 at 11 o'clock in the forenoon upon the appeal at 9-11 Chadwick Street relating to the proposed construction of a two-family dwelling house there.

Please be represented at this hearing in support of your appeal.

BOARD OF APPEALS

Herman E. Libby, Chairman

Special of Homestead Savings and Loan Assoc. at 9-11 Chadwick St.
10/29/43

✓ Neal Street - 14 to 48 ✓

(54)

✓ Vaughan St - 43 to 127 ✓
- 50 to 134 ✓

43/89

✓ Chadwick St. - 1 to 53 ✓
- 2 to 52 ✓

✓ Western Promenade - 121 to 187 ✓

✓ Carroll Street - 39 to 101 ✓
- 26 to 100 ✓

✓ Bowdoin Street - 1 to 75 ✓
- 2 to 76 ✓

✓ Clifford Street - 38 to 59 ✓
- 50 to 60 ✓

Appeal of Homestead Savings Loan Assoc at 9-11 Chadwick St

Neal Street
 14-20 Mallory Eugene W. 12 Neal Street
 22-24 Joseph H. Whitney 22 Neal Street
 28-34 E. H. Clifford Co. 57 Exchange Street
 36-48 Dup

Vaughan Street
 42-53 John T. Dana 395 Spring Street
 61-71 Thomas Woodman 75 Vaughan Street
 73-85 Dup
 91-87 Francis S. Lawrence 83 Vaughan Street
 89-93 Helen C. Hall 55 Bowdoin Street
 95-97 Louis H. Schloberg 77 Vaughan Street
 99-101 Gertrude M. Conline 101 Vaughan Street
 103-117 Frank S. Ince Devs 113 Vaughan Street
 123-127 Ralph E. Libby 125 Vaughan Street
 1-66 City
 68-76 Charles E. Simey NR Cape Elizabeth, Me
 82-86 Walter J. James 29 Bowdoin Street
 88-96 Mary C. Esté Davis 70 Vaughan Street
 98-102 Pamela Knight Waring 100 Vaughan Street
 104-112 Hadleigh B. Drummold 108 Vaughan Street
 114-118 Alice L. Joseph H. Waldron 112 Vaughan Street
 124-128 Nellie C. Baxter NR Cape Elizabeth, Me
 130-134 Ellen S. Morey 134 Vaughan Street
 1-7 Marguerite Ch. Cram 41 Bowdoin Street
 9-11 Homestead Savings Loan Assoc 4 Elm Street
 13-17 Josephine C. King 15 Chadwick Street
 19-23 Charles B. Hinds 27 Chadwick Street
 25-27 Dup
 31-37 Edna P. Stagg 70 Carroll Street
 43-49 Katherine H. Clifford 25 Exchange Street
 51-55 Thomas J. & Patrick H. D. Burroughs 53 Chadwick Street
 2-12 Dup
 14-18 Kenneth L. & Edith M. Burr 16 Chadwick Street
 20-24 Elmer L. Thengren 22 Chadwick Street
 26-32 Louis G. Portman 28 Chadwick Street
 34-38 Kathryn E. Cunningham Devs 181 State Street
 44-48 Edgar P. Foyson 83 Carroll Street
 50-52 Dup

Theater Promenade

- 125-125 Carroll & Chaplin 125 Theater Promenade
 127-129 Robinson & Venable 72 Bowdoin Street
 135-143 Thompson & Tamm Inc. 90 John Payson 52 Exchange
 145-151 Eleanor D. Hamlen 149 Theater Promenade
 153-159 Walter D. Davis 155 Theater Promenade
 161-165 Esther Knight NP 163 Theater Promenade
 167-171 Franklin Lawrence 98 Carroll Street
 177-187 George E. West 181 Theater Promenade

Carroll Street

- 37-47 Dup.
 53-61 Dup.
 65-73 Dup.
 81-89 Dup.
 95-99 Fred W. Palmer 87 Carroll Street
 93-99 Dup.
 101-103 Dup.
 111-113 Dup.
 121-123 Dup.
 131-133 Dup.
 141-143 Dup.
 151-153 Dup.
 161-163 Dup.
 171-173 Dup.
 181-183 Dup.
 191-193 Dup.
 201-203 Dup.
 211-213 Dup.
 221-223 Dup.
 231-233 Dup.
 241-243 Dup.
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 301-303 Dup.
 311-313 Dup.
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 341-343 Dup.
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 361-363 Dup.
 371-373 Dup.
 381-383 Dup.
 391-393 Dup.
 401-403 Dup.
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 471-473 Dup.
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 571-573 Dup.
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 591-593 Dup.
 601-603 Dup.
 611-613 Dup.
 621-623 Dup.
 631-633 Dup.
 641-643 Dup.
 651-653 Dup.
 661-663 Dup.
 671-673 Dup.
 681-683 Dup.
 691-693 Dup.
 701-703 Dup.
 711-713 Dup.
 721-723 Dup.
 731-733 Dup.
 741-743 Dup.
 751-753 Dup.
 761-763 Dup.
 771-773 Dup.
 781-783 Dup.
 791-793 Dup.
 801-803 Dup.
 811-813 Dup.
 821-823 Dup.
 831-833 Dup.
 841-843 Dup.
 851-853 Dup.
 861-863 Dup.
 871-873 Dup.
 881-883 Dup.
 891-893 Dup.
 901-903 Dup.
 911-913 Dup.
 921-923 Dup.
 931-933 Dup.
 941-943 Dup.
 951-953 Dup.
 961-963 Dup.
 971-973 Dup.
 981-983 Dup.
 991-993 Dup.
 1001-1003 Dup.

Bowdoin Street

- 1-5 Dup.
 7-13 Anna M. Nulty 9 Bowdoin Street
 15-21 Dup.
 23-29 Dup.
 31-37 Dup.
 39-45 Dup.
 47-53 Dup.
 55-61 Dup.
 63-69 Dup.
 71-77 Dup.
 79-85 Dup.
 87-93 Dup.
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 103-109 Dup.
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 119-125 Dup.
 127-133 Dup.
 135-141 Dup.
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 159-165 Dup.
 167-173 Dup.
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 271-277 Dup.
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 327-333 Dup.
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 399-405 Dup.
 407-413 Dup.
 415-421 Dup.
 423-429 Dup.
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 455-461 Dup.
 463-469 Dup.
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 559-565 Dup.
 567-573 Dup.
 575-581 Dup.
 583-589 Dup.
 591-597 Dup.
 599-605 Dup.
 607-613 Dup.
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 639-645 Dup.
 647-653 Dup.
 655-661 Dup.
 663-669 Dup.
 671-677 Dup.
 679-685 Dup.
 687-693 Dup.
 695-701 Dup.
 703-709 Dup.
 711-717 Dup.
 719-725 Dup.
 727-733 Dup.
 735-741 Dup.
 743-749 Dup.
 751-757 Dup.
 759-765 Dup.
 767-773 Dup.
 775-781 Dup.
 783-789 Dup.
 791-797 Dup.
 799-805 Dup.
 807-813 Dup.
 815-821 Dup.
 823-829 Dup.
 831-837 Dup.
 839-845 Dup.
 847-853 Dup.
 855-861 Dup.
 863-869 Dup.
 871-877 Dup.
 879-885 Dup.
 887-893 Dup.
 895-901 Dup.
 903-909 Dup.
 911-917 Dup.
 919-925 Dup.
 927-933 Dup.
 935-941 Dup.
 943-949 Dup.
 951-957 Dup.
 959-965 Dup.
 967-973 Dup.
 975-981 Dup.
 983-989 Dup.
 991-997 Dup.
 999-1005 Dup.

43/67

0

Boundaries Street (cont)

Clifford Street

6172 Dup
6176 Dup

3341 Dup
4351 Dup
5359 Dup
5854 Dup
56 Dup
5860 Dup

Mr. Herman B. Libby 40 Exchange Street
" Harry C. Libby 465 Congress Street
" George A. Libby 90 Grand Trunk Station
" Edward C. Libby 174 Edward Street
" Adam C. Libby 192 State Street

India St

13/87

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

Room 21, City Hall
November 2, 1943

To Whom It May Concern:

The Board of Appeals will hold a public hearing at the Council Chamber, City Hall on Friday, November 12, 1943 at 11 o'clock in the forenoon upon the appeal under the Zoning Ordinance of Homestead Savings & Loan Association relating to construction of a dwelling house proposed at 9-11 Chadwick Street.

The Inspector of Buildings is unable to issue a building permit to cover construction of this proposed dwelling house because a building to accomodate two families is proposed, a use which would be contrary to the provisions of the ordinance in the Single Residence-B Zone where the property is located.

The reasons for the appeal are set forth as follows:

1. "The appellant association has an investment of \$4,400.00 in the above mentioned lot with no means of income from same. Taxes on the premises are approximately \$120.00 per year.
2. "No sales of the lot can be made without great loss to the Association, and, on account of building restrictions and the amount of investment, a single house would be impractical. Furthermore, on account of the ability of the surrounding owners to convert to two-family houses, a purchaser would have no assurance that a single residence zone would be maintained.
3. "Under present conditions it is impossible to obtain priorities for building a single house in keeping with the surroundings, but priority regulations do allow a two-family house which from a business and economic standpoint would be profitable to build and operate."

All persons interested either for or against this appeal will be heard at the above time and place, this notice of hearing having been sent to the owners of property within 500 feet of the premises in question as required by law.

BOARD OF APPEALS

Herman B. Libby, Chairman

5843D-I

43/87

C.H.
A.H.
P.H.

September 30, 1943

Homestead Savings & Loan Association,
4 Elm Street,
Portland, Maine

Gentlemen:

Subject: Application for building
permit to cover construction of new
two family dwelling house at 1-11
Chadwick Street in a Single Residence-B
Zone.

I am unable to issue this permit because the proposed use of the building is not an allowable use in the Single Residence-B Zone where the property is located. I have Mr. Lamb's request for a time to be set when he can come into the office and file an appeal seeking a variance on the part of the Appeal Board of the terms of the Ordinance so that the permit may be issued.

The impression has gone abroad that the Appeal Board (some persons and the City Council) has unlimited authority to vary any of the terms of the Ordinance. If you will refer to Section 14-d of the text of the Ordinance you will see that the authority of the Board to grant variances (sustain appeals) is extended to only such cases where, in their opinion, enforcement of the law would involve practical difficulty or unnecessary hardship and where desirable relief may be granted without substantial departure from the intent and purpose of the law; and that unless all five members of the Board (this requirement of a unanimous vote is now a provision of State Law, superseding our own Ordinance in this respect) believe that practical difficulty or unnecessary hardship does obtain and also that the variance may be granted without substantial departure from the intent and purpose of the law, they are without authority to grant the variance.

I am not attempting to predict what the opinion or decision of the Appeal Board would be in your case, but it seems best for you to fully understand the limitations of the Appeal Board before embarking on the appeal which involves some expense on your part, a considerable amount of time of the Appeal Board, and the interest of the neighborhood.

In the past most of the Appeal forms have been fully filled in in this office in the presence of the appellant, but I find in the case of important "new" appeals I am no longer able to do this. Invariably the appellant looks to me to suggest evidence to provide that the proposed use is not a wide departure from the intent and purpose of the law. In most of these cases, as far as I can see, there would be wide departure from the intent and purpose of the law. Your case is no exception since you are planning a new building on a vacant lot for two families while the law says there shall be only one. No doubt, if you decide to file the appeal, you will have satisfied yourselves that there are extenuating circumstances which make the proposition consistent with the intent and purpose of the law. On this basis, and in an effort to be of as much service as I can, I am enclosing the original and one copy (copy for your own file) of an appeal form partly made out down to and including the reasons for denying the permit. The places for the reasons for the appeal is left blank, and I suggest that you have your attorney consult Mr. Payson, the Corporation Counsel, as to the legal aspects of the situation.

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(Homestead Savings & Loan Assoc. - 2)

tion, and then if you decide to go ahead, fill in this blank with brief reasons why failure to secure the permit involves unnecessary hardship, and the reasons why the variance may be granted without substantial departure from the intent and purpose of the law.

If you decide to go ahead, the original of the appeal ought to be filed at this office with the five dollar fee which is not refundable in any event. The first date on which you could hope for a public hearing would normally be October 15th, action probably would be taken at the time of regular Council meeting on the following Monday. To accomplish this, however, it would be necessary for the appeal to be filed in this office not later than Friday, October 1st, because we would have to send out notices of the hearing by mail postmarked not later than October 5th and there would be much work to be done in the meantime.

Very truly yours,

Inspector of Buildings.

McD/W

Copy W. Mayo Poyson

Enc. Appeal forms

STATEMENT ACCOMPANYING APPLICATION FOR BUILDING PERMIT

for 2 story brick veneer dwelling
at 9-11 Chadwick Street

Date 9/24/43

1. In whose name is the title of the property now recorded? Homestead Savings & Loan Assn
2. Are the boundaries of the property in the vicinity of the proposed work shown clearly on the ground, and how? yes Fence
3. Is the outline of the proposed work now staked out upon the ground? no
If not, will you notify the Inspection Office when the work is staked out and before any of the work is commenced? yes
4. What is to be maximum projection or overhang of eaves or drip? 12 in
5. Do you assume full responsibility for the correctness of the location plan or statement of location filed with this application, and does it show the complete outline of the proposed work on the ground, including bay windows, porches and other projections? yes
6. Do you assume full responsibility for the correctness of all statements in the application concerning the sizes, design and use of the proposed building? yes
7. Do you understand that in case changes are proposed in the location of the work or in any of the details specified in the application that a revised plan and application must be submitted to this office before the changes are made? yes

Homestead Savings & Loan Assn
By Horton H. Kent, Secy

Rept. 3843D-I
9-11 Chadwick St.

November 23, 1943

Homestead Savings & Loan Assoc.
4 Elm Street,
Portland, Maine

Subject: Action on the appeal under the
Zoning Ordinance of Homestead Savings
& Loan Assoc. at 9-11 Chadwick Street

Gentlemen:

On November 15, 1943, the Board of Appeals voted to give the
appellant association in the above case, leave to withdraw.

Since the building permit has been denied, if you will return
the receipt for the fee paid to this office not later than December 10,
1943, the money will be refunded by voucher.

The fee for the zoning appeal is not refundable.

Very truly yours,

WMD/H

Inspector of Buildings

CC: Irving F. Maxwell
120 Exchange Street



(SB) SINGLE RESIDENCE ZONE - B

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Permit No. _____

Portland, Maine, September 14, 1943

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect alter install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 9-11 Chadwick Street

Within Fire Limits? yes Dist. No. 3

Owner's or Lessee's name and address Homestead Savings & Loan Assoc. 4 Elm St.

Contractor's name and address Lot 1st Telephone 2-8093

Architect L. C. Anderson Telephone _____

Proposed use of building Dwelling Plans filed yes No. of sheets 2

Other buildings on same lot _____ No. families 2

Estimated cost \$ 10,000 Fee \$ 4.00

Description of Present Building to be Altered

Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____

Last use _____ No. families _____

General Description of New Work

To construct 2 1/2 story brick/dwelling house 24' x 35'

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor.

Details of New Work

Is any plumbing work involved in this work? yes

Is any electrical work involved in this work? yes Height average grade to top of plate 17'

Size, front 24' depth 36' No. stories 2 1/2 Height average grade to highest point of roof 25'

To be erected on solid or filled land? solid earth or rock? earth

Material of foundation concrete at least 4' below grade Thickness, top 12" bottom 16" cellar yes

Material of underpinning " to fill at least 6" above grade Height _____ Thickness _____

Kind of roof pitch Rise per foot 7" Roof covering asphalt roofing Class A Ind. Leb.

No. of chimneys 1 Material of chimneys brick of lining tile

Kind of heat hot air Type of fuel coal Is gas fitting involved? yes

Framing lumber—Kind hemlock Dressed or full size? as specified

Corner posts 4x6 Sills 4x6 Girt or ledger board? none Size _____

Material columns under girders iron columns Size 4" Max. on centers 8'

Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.

Joists and rafters: 1st floor 2x10, 2nd 2x10, 3rd 2x6, roof 2x8 dormer

On centers: 1st floor 16", 2nd 16", 3rd 20", roof 20"

Maximum span: 1st floor 14', 2nd 14', 3rd _____, roof _____

If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

No. cars now accommodated on same lot _____ to be accommodated _____

Total number commercial cars to be accommodated _____

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? _____

Miscellaneous

Will above work require removal or disturbing of any shade tree on a public street? no

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

Signature of owner Forrest M. Smith, Secy Homestead Savings & Loan Assoc.

INSPECTION COPY

Permit No 43/

Location 9-11 Chaudhury Rd

Owner Hossain Hossain

Date of permit 19/1/43

Notif. closing-in

Inspr. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued

NOTES

[Handwritten signature]

1. To be filled up by the applicant

2. To be filled up by the applicant

1. To be filled up by the applicant

2. To be filled up by the applicant